

R-1C INTERIM STATUS  
COMPLIANCE LETTER



P.O. Box 109  
South Windsor, Connecticut 06074

RCRA RECORDS CENTER  
FACILITY ONSI CORP  
I.D. NO. CTD010166791  
FILE LOC. \_\_\_\_\_  
OTHER \_\_\_\_\_

18 March 1982

Robin  
Lynd  
21st Fl.

Director, Enforcement Division  
U. S. Environmental Protection Agency  
J.F.K. Federal Building - Room 2103  
Boston, Massachusetts 02203

Attention : RCRA Compliance Clerk

Reference : 1. Interim Status Compliance Letter, Mr. Leslie Carothers  
to Mr. William H. Podolny, March 8, 1982.

2. Telephone Conversation, Mr. Alan Walrond to Mr. Joel  
Blumstein, March 17, 1982.

3. United Technologies - CTD010166791

In response to the Interim Status Compliance Letter (Reference 1) and as discussed with Mr. Blumstein (Reference 2), the following report is hereby submitted.

1. Power Systems Division, United Technologies, is in complete compliance with the Interim Status Standards Applicable to Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities, 40 C.F.R. Part 265, and;
2. Power Systems Facility on Governors Highway, South Windsor, Connecticut complies with all applicable requirements of the Consolidated Permit Regulations, 40 C.F.R. Part 122, Subparts A and B, and 40 C.F.R. Part 124, Subpart A.

If additional information is required, please contact Mr. Alan Walrond, Materials Manager, at (203) 727-2413.

Sincerely yours,

UNITED TECHNOLOGIES CORPORATION

Power Systems Division

William H. Podolny  
Vice President and General Manager  
Fuel Cell Operations

3/8/82

Mr. William H. Padolny  
 United Technologies  
 Power Systems Division  
 P.O. Box 109  
 South Windsor, CT 06074

Re: United Technologies - CTD010166791  
 Sections 3005 and 3007, Resource Conservation and Recovery Act  
 Interim Status Compliance Letter and Reporting Requirement

Dear Mr. Padolny:

Section 3005 of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. §6925, provides that no hazardous waste identified by the U.S. Environmental Protection Agency ("EPA") pursuant to Section 3001 of RCRA may be treated, stored, or disposed of except in accordance with the terms of a permit issued pursuant to Section 3005 of RCRA. Regulations identifying certain hazardous wastes were promulgated by EPA on May 19, 1980, and became effective on November 19, 1980.

Section 3005(e) of RCRA provides that a person meeting certain conditions shall be treated as having been issued a permit until final administrative action is taken on its permit application. A person meeting the requirements of Section 3005(e) is commonly referred to as having "interim status".

EPA has determined that United Technologies has owned and/or operated a facility for the treatment and storage of hazardous waste, which facility was in existence prior to November 19, 1980, and continued to operate after November 19, 1980. EPA has further determined that this facility has been operating without a permit and without having interim status, in violation of Section 3005 of RCRA, since November 19, 1980.

Your facility has not achieved interim status pursuant to Section 3005(e) and 40 C.F.R. §122.23(a) because: (1) it failed to submit a timely notification of hazardous waste activity pursuant to Section 3010, which was required to have been submitted to EPA no later than August 18, 1980; and (2) it failed to submit a timely hazardous waste facility permit application in accordance with

CONCURRENCES			
SYMBOL	the requirements of 40 C.F.R. §122.22(a)(1), which was required to have been submitted to EPA no later than November 19, 1980.		
SURNAME	Silverman		
DATE	2-24-82		



Notwithstanding the violation of Section 3005 by your facility, EPA, Region I, in the exercise of its enforcement discretion, will not take action against your facility under Section 3008 of RCRA for its failure to obtain a permit or otherwise to have interim status for its facility on the condition that:

1. All treatment, storage, and disposal of hazardous waste at your facility shall be in complete compliance with the Interim Status Standards Applicable to Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities, 40 C.F.R. Part 265;
2. Your facility complies with all applicable requirements of the Consolidated Permit Regulations, 40 C.F.R. Part 122, Subparts A and B, and 40 C.F.R. Part 124, Subpart A; and

provided further, that conditions do not arise which warrant an emergency action under Section 7003 of RCRA or which would otherwise warrant modification of EPA's exercise of enforcement discretion.

Pursuant to the authority of Section 3007 of RCRA, 42 U.S.C. §6927, which authorizes EPA to request information relating to hazardous wastes from any person who handles such wastes, you are hereby requested to submit a report to EPA within fifteen (15) days of receipt of this letter indicating your compliance status relative to the applicable hazardous waste management regulations cited above.

This required report should be addressed as follows:

Director, Enforcement Division  
U.S. Environmental Protection Agency  
JFK Federal Building - Room 2103  
Boston, MA 02203

Attention: RCRA Compliance Clerk

This information request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. §3501 et seq.

This Interim Status Compliance Letter does not constitute a waiver of the Agency's discretion to take appropriate action against your facility for its failure to comply fully with any relevant statutory, regulatory, permit or other legal requirements applicable to it, except as specifically set forth above. Nor does this letter preclude the possibility of actions pursuant to the citizen suits provisions, Section 7002, of RCRA.

If you have questions concerning this letter, do not hesitate to contact Joel Blumstein, an attorney on my staff, at (617) 223-5470.

Sincerely yours,

Leslie Carothers  
Deputy Regional Administrator

cc: Dr. Steven Hitchcock, CT DEP ✓

bcc: M. Hohman ✓  
J. Moebes ✓  
R. Cavagnero ✓  
J. Blumstein ✓  
R. Lind ✓

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I

J. F. KENNEDY FEDERAL BUILDING, BOSTON, MASSACHUSETTS 02203

March 8, 1982

Mr. William H. Padolny  
United Technologies  
Power Systems Division  
P.O. Box 109  
South Windsor, CT 06074

Re: United Technologies - CTD010166791  
Sections 3005 and 3007, Resource Conservation and Recovery Act  
Interim Status Compliance Letter and Reporting Requirement

*→ ID # is for Intl. Fuel Cells*

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If you have questions concerning this letter, do not hesitate to contact Joel Blumstein, an attorney on my staff, at (617) 223-5470.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Leslie Carothers", with a long horizontal flourish extending to the right.

Leslie Carothers  
Deputy Regional Administrator

cc: Dr. Steven Hitchcock, CT DEP